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PAPERS AND DISCUSSIONS.

INDUSTRIAL LIBERTY.

BY RICHARD T. ELY.

The year 1776 is an epoch-making date in the history of liberty. Every American associates 1776 with the Declaration of Independence, which, however we may look upon it—and all modern criticism just and unjust, to the contrary, notwithstanding—ranks among the greatest and grandest documents of the world's history. It is there asserted, as something axiomatic, as something belonging to the realm of natural law, that liberty is an inalienable right of all men. You all recall the precise words: "We hold these truths to be self-evident;—that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." It is furthermore asserted that the very purpose of the institution of government is to secure these rights, and that every government derives its just powers from the consent of the governed.

But the year 1776 witnessed the appearance of a book which so admirably presented the eighteenth century philosophy of industrial liberty, that by common consent of the intelligent it ranks among the world's greatest books. I refer to Adam Smith's "Wealth of Nations", which occupies a pivotal position in modern economic thought, earlier works preparing the way for this master-piece, and subsequent works in economics resting upon the "Wealth of Nations" as a foundation. So profound has been its influence that the centennial of its appearance was deemed worthy of a celebration.

Placing it below the Declaration of Independence in its power over human destinies, nevertheless, I dare to place it in the first rank of publications which deal with human liberty.

The spirit of the age in which he wrote breathes through Adam Smith's "Wealth of Nations". This spirit is a world-spirit, and the age is cosmopolitan. This spirit finds its most logical, its clearest and fullest expression in the French philosophy and the French public life of the latter part of the eighteenth century. Liberty, equality and fraternity are made the watch-words of the republic.

When we examine the treatment of liberty in the great historical works of this age, we must be impressed with the simplicity of the problem of liberty, as then conceived. Liberty is thought of as a unity, and not as a complex conception, or bundle of rights. Moreover, we find that liberty is presented in its negative aspects. Restrictions and restraints are found upon liberty, and it is thought that once we clear these away, liberty will assert itself as a benign force.

As in the motto of the French republic, so in the Declaration of Independence, and in Adam Smith's "Wealth of Nations", liberty is associated with equality. Natural equality is held to be a fundamental fact, and not by any means a goal to be reached slowly and painfully. Adam Smith looks upon the brick-layer and the statesman as equal in nature, holding that the vast differences between them are due to the varied effects of environment. Had the environment been changed the statesman would have been the brick-layer and the brick-layer the statesman. This theory of equality runs, as a red thread, through the entire social philosophy of that age, and must be borne in mind by one who would

understand the theoretical and practical conclusions reached by that philosophy. The problem which presented itself to our forefathers, and to French statesmen, as well as to English thinkers, was essentially negative. Restrictions must be removed. Favoritism must be abolished, and the laws making possible restrictions and favoritism must be repealed. The restrictions upon liberty which were then noticed were restrictions of a political nature. Consequently the problem of liberty was conceived to be essentially a political problem, as well as a negative one.

Closely associated with this doctrine of equality was the doctrine of the beneficence of self-interest. Inasmuch as men were essentially equal, each one could best guard his own interests individually, provided only the hampering fetters of the law should make way for a reign of liberty. Time does not permit me to follow out, as I would like, the development of this negative view of liberty, which I have presented. From it we may trace out a very clearly marked line of evolution of thought, and a somewhat less clearly marked line of evolution of political practice. Through various writers we reach Herbert Spencer's treatment of liberty as a negative and political problem. The great enemy of freedom, he holds, is the state manifesting itself in laws directing human activity, and in his opinion, leading inevitably to slavery, unless the flow of legislation is in some way checked. We find Herbert Spencer preaching his doctrine of liberty in his "Social Statics" in 1851, and asserting in it the right of man to disregard the state, and in more recent times he expounds his doctrine in articles bearing such titles as these: "The Coming Slavery", "The Sins of Legislators", "The Great Political Superstition."

It is but one step from Herbert Spencer to philosophical anarchy which, in the interests of liberty, would abolish the state altogether. We thus reach the termination of one line of logical evolution of liberty, conceived negatively, as something which may exist if political restraints and restrictions upon action are once removed. Very early, however, those whose interests led them to approach social and economic questions from a different point of view, as well as those who examined the problem of liberty more broadly and deeply, began to qualify the theory of liberty which we have just examined. John Stuart Mill occupies an interesting position in the development of the philosophy of liberty, as in him we see radically antagonistic views struggling with each other for mastery. He was brought up a firm adherent of the eighteenth century social philosophy, but was obliged to qualify it increasingly, as he grew older and gained larger knowledge as a result of broadening experience and deeper thought. On the one hand, in the interests of liberty he would prohibit life-long marriage contracts. On the other hand, he sees the limitations imposed upon freedom of action in the social and economic order, and looks forward to a time of collective ownership of land and capital, although he does not profess to see how this collective ownership is to be managed so as to avoid new restrictions upon liberty.

Another stage in the development of thought is clearly reached in the writings of the English philosopher, Thomas Hill Green,¹ who breaks away altogether from the conception of liberty as something to be achieved by negative, political action, holding that true

¹ T. H. Green, "Liberal legislation and freedom of contract". Works, vol. 3, pp. 365-386.

liberty means the expression of positive powers of the individual, and that it can be reached only as a result of a long and arduous constructive process. Green tells us in these words what he means by liberty or freedom : "We do not mean merely freedom from restraint or compulsion. We do not mean merely freedom to do as we like irrespectively of what it is that we like. We do not mean a freedom that can be enjoyed by one man, or one set of men, at the cost of a loss of freedom to others. When we speak of freedom as something to be highly prized, we mean a positive power or capacity of doing or enjoying something worth doing or enjoying, and that, too, something that we do or enjoy in common with others. We mean by it a power which each man exercises through the help or security given him by his fellowmen, and which he in turn helps to secure for them. When we measure the progress of a society by the growth in freedom, we measure it by the increasing development and exercise on the whole of those powers of contributing to social good with which we believe the members of the society to be endowed ; in short, by the greater power on the part of the citizens as a body to make the most and best of themselves."

As anarchy gives us the logical outcome of one line of thought concerning liberty, so we find another line of thought, regarding liberty, going far beyond the necessary implications of Green's position and terminating in the opposite extreme, socialism.

As Adam Smith's philosophy of liberty is an expression of the eighteenth century, Thomas Hill Green's view may be looked upon as an expression of the philosophy of liberty with which the twentieth century opens. There are various reasons for this change of view. One of the most fundamental is, perhaps, found

in the fact that we have discovered human nature to be a more complex thing than it was thought to be in the last quarter of the eighteenth century. Instead of a very simple psychology, we have a very complex psychology underlying our twentieth century thought. Inequalities among men we now know are natural, or the natural outcome of the kind of a world in which we live, inhabited by our kind of beings. Men are what they are as a result of heredity, as well as environment. Moreover, we have a heredity of environment itself, which is felicitously termed social heredity. The outcome of this is found in the fact now clearly perceived by those who think deeply on such subjects, that in contract men who are, in one way and another unequals, face each other and that their inequality expresses itself in the contracts which determine their economic condition.

Another cause of the change in view concerning the achievement of liberty, is found in the growing complexity of society, especially on its economic side. Men are brought into society in a real and vital sense by the relations existing among them, and these relations have multiplied enormously during the past century. The economic ties uniting men in society were relatively few and simple in 1776. Their growth, extensively and intensively, is a matter of familiar knowledge at the present time. It is a mere truism to say that our well-being in industrial matters depends on others, as well as on ourselves. Our economic well-being is an outcome of satisfactory relations existing between the individual and society. Now these relations which bind man to his fellow-men are to only a limited extent of a political nature. Consequently it follows that restrictions upon liberty are, for the most part, outside of and beyond

government. Furthermore, the problem of liberty is only to a minor extent a political problem. And as it is only to a minor extent a political problem, it can never, in any true sense, be secured by a mere repeal of political laws, nor indeed by a mere enactment of political laws. Neither removal of politico-economic restrictions upon freedom of trade, nor enactment of universal suffrage, can give us more than a small, fractional part of liberty.

Our own, familiar, everyday experience teaches us that restrictions upon our positive liberty of action are mainly due to the coercion of economic forces. This coercion of economic forces manifests itself in many ways, but largely in and through contract competitively formed. This is seen, first of all, in what may be called the *problem of the twentieth man*. Nineteen men wish to pursue a certain course of economic action, but are coerced competitively by the twentieth into a line of conduct which they dislike. Nineteen barbers in the city of Madison, Wisconsin, wished to close their shops on Sunday; the twentieth would not agree to close his, and consequently, all the twenty were, and still are, kept open. Nineteen men may desire to work ten hours a day, and may be coerced by the twentieth into working fourteen hours a day. Apparently they are all working fourteen hours a day because they choose to do so, but the choice is not a free one, in any true sense of the word. Even the twentieth man prefers to work ten hours a day, but yields to pressure for the sake of a temporary advantage, and so he is likewise coerced. The freedom which thus expresses itself in contract is in certain cases like the freedom of a slave, who chooses to work rather than to suffer under the lash.

The coercion of economic forces is largely due to the

unequal strength of those who make a contract, for back of contract lies inequality in strength of those who form the contract. Contract does not change existing inequalities and forces, but is simply the medium through which they find expression. Wealth and poverty, plenty and hunger, nakedness and warm clothing, ignorance and learning face each other in contract, and find expression in and through contract. According to the theory of Pufendorf, one of the great jurists of his day, slavery is, historically, an outcome of contract. I do not think, myself, that this is a correct view of slavery, as a whole, but it unquestionably explains slavery in many instances. Even in our own day contracts have been formed which have been denounced from the bench as virtual slavery. I have in mind particularly the well known cases which, in the present year, were brought before Judge W. C. Bennett in Columbia, S. C. It appears in the statement of the case by the Judge that negroes entered into contracts whereby they surrendered nearly, if not quite all, those rights which we associate with a condition of freedom. The form of the contract includes the following :

“I agree at all times to be subject to the orders and commands of said _____ or his agents, perform all work required of me. _____ or his agents shall have the right to use such force as he or his agents may deem necessary to compel me to remain on his farm and to perform good and satisfactory services. He shall have the right to lock me up for safekeeping, work me under the rules and regulations of his farm, and if I should leave his farm or run away he shall have the right to offer and pay a reward of not exceeding \$25 for my capture and return, together with the expenses of same, which amount so advanced, together with any other indebted-

ness I may owe _____ at the expiration of above time, I agree to work out under all rules and regulations of this contract at same wages as above, commencing _____ and ending _____.

The said _____ shall have the right to transfer his interest in this contract to any other party, and I agree to continue work for said assignee same as the original party of the first part."

Judge Bennett, in addressing his grand jury, declared that this nominally free contract "reduced the laborer to a position worse than slavery." In charging the grand jury he said: "No free man in this commonwealth nor any other free country can be permitted, even if he desires to do so, to barter away his liberty and make himself a chattel; and that is what this contract attempts to do." The Judge spoke of it as most pitiful of all that the poor negroes who had formed such a contract should profess "to be satisfied and contented".

The sale of children by their parents in times of distress is a frequent phenomenon in many Oriental countries; and prostitution and slavery can in those countries even to-day often be traced back to contracts of one sort and another.

We have in these instances a very extreme form of the inequality expressed in and through contract, nominally free. What is seen in these cases in extreme form can be seen in lesser degree on every hand, even in the most civilized nations. We see from all this that contract gives expression to inequalities, and allows existing social forces to flow on, involving in some cases, a perpetuation and deepening of degradation.

Furthermore, we have lying back of free contract the great institutions of society, property, and the inheritance of property, and vested interests. In short, all that

passes down from generation to generation lies back of contract and expresses itself in and through contract.

As a result of the nature of man, of the conditions of existence in a world like ours, and of the great historical institutions which have come down to us, men exist in classes. These classes, in modern times, rest upon an economic foundation. Even the political classes of earlier days had, in the beginning, an economic basis, but the older political classes are, in our day a comparatively small matter. The Century Dictionary defines class as follows: "An order or rank of persons; a number of persons having certain characteristics in common, as equality in rank, intellectual influence, education, property, occupation, habits of life."

The existence of classes, which is absolutely necessary, resting upon a foundation beyond the power of man to control, gives complexity to our problem of liberty. A modern jurist has used these words, which have a profound significance in our discussion of the problem of liberty: "There is no greater inequality than the equal treatment of unequals."

The problem of liberty includes the problem of suitable control over the relations which exist among men; for these relations determine the conditions of our social existence. These relations may be considered individually and socially, and the social action may be either of private or public character. The action of a trades union in its endeavor to secure favorable relations, is private social action; a statute, determining the length of the working day, is public social action; and both alike aim, successfully or unsuccessfully as the case may be, to promote liberty. All action which endeavors to remove ignorance and superstition and to strengthen the individual, mentally, morally and physically, is action which en-

deavors to promote liberty. Necessarily, social action which determines or regulates in any way the relations of men among themselves, must restrict freedom of movement at some point, but where it is wise it increases it more than correspondingly at other points. If we have restriction upon liberty called *2a*, we have in the case of wise, social action an increment of liberty which is certainly *2a* plus something else. The employer may not hire the services of little children, and his liberty to do so is restricted, but the liberty of the children is increased. They are freed from toil, and when provision is made for their wise education and up-bringing, their powers are increased, and they have many fold the liberty to employ themselves in the service of their fellows for their own benefit.

We thus have a vast body of legislation in and through which society seeks liberty. This legislation modifies and qualifies nominally free contract, because nominally free contract may mean servitude of various kinds and various degrees. The aim is the increase of liberty in the positive sense.

Education is one of the lines along which modern society works to secure liberty. It cultivates and enlightens the mind, frees it from enslaving superstition; and, where it is industrial, it cultivates economic powers and aids us in adjusting ourselves in the relations of complex economic society.

Modern legislation, even reluctantly and against the force of prejudice, recognizes increasingly the existence of classes, and the inequalities of powers among human beings. We have one great class in the community, children, for whom we have special laws. Women are another great class, with a nature different from that of men, and with special needs of their own. We have

the farmers; we have the class of men engaged in transportation; the men who work for wages; all with their special needs and peculiarities, finding expression in laws applicable to the class to which they belong. To use expression of Judge Cooley in his *Constitutional Limitations*, we have here simply the recognition of "distinctions that exist in the nature of things".

It would be interesting, if time permitted, to show how many different kinds of legal inequality there may be where we have nominal legal equality. I can refer here only briefly to one or two points. We have inequality in power to secure needed laws. Consequently we have societies and social action in order to secure needed legislation for those who by themselves are not strong enough to gain the ends sought. The street car employees of Baltimore, some years ago, desired to have their hours of labor reduced from seventeen hours and twenty minutes a day to twelve hours, and by social action, in which many of the men of Baltimore, most eminent in church and state and in private fields, participated, a twelve hour day was secured.

There is inequality on account of the knowledge of law on the part of the various classes, and in the power to avail one's self of the law. Consequently, we have societies formed to remedy this evil, and to promote that liberty which comes from balanced powers. We have our bureaus of justice, and our legal aid societies.

And another thing. We have an immense modern development in this country of the police power of the state, as this power is most infelicitously termed. We mean, as everyone versed in the elements of law knows, the general welfare power of the state, restricting and limiting contract in the interests of freedom. This de-

velopment of the police power, slow as it is, shows the adaptability of law to changing industrial and economic conditions. It has been said, and truly, that development of law lags behind the evolution of industrial society, so that the law represents a correspondence to a preceding stage or period in industrial development. It has been difficult for our courts to adjust themselves to the restrictions upon nominally free contract, demanded by the interests of a larger and truer freedom. Consequently, in many cases decisions have been rendered which must be condemned by economic philosophy. Fortunately, however, our courts are finding the needed element of flexibility in our constitutional system in the police power, and are recognizing the fact that a new economic world demands new interpretations. Under American conditions, with upright judges of superior intelligence, devoted to freedom as they understand it, this proposition may be safely maintained, as has been well stated by one of our professors of law: "It has ever been true that in matters of great social and political import, our legal decisions and theories have conformed themselves to the current political and social thought, and not our social and political thought to our legal theories."¹

Among our various state courts I think the truths concerning freedom, which I have so imperfectly brought before you, have been most clearly seen and most explicitly stated by the Supreme Court of Massachusetts. Some years ago, legislation restricting the right of women to work in a factory more than ten hours a day and sixty hours a week was upheld. Significant extracts from the decision of the court in this case, are

¹ Professor A. A. Bruce, University of Wisconsin, in the *Record Herald*, Chicago, July 7, 1901.

the following : "It does not forbid any person, firm or corporation from employing as many persons or as much labor as such person, firm or corporation may desire ; nor does it forbid any person to work as many hours a day or week as he chooses, it merely provides that in any employment which the legislature has evidently deemed to some extent dangerous to health, no person shall be engaged in labor more than ten hours a day and sixty hours a week. There can be no doubt that such legislation may be maintained, either as a health or police regulation, if it were necessary to resort to either of those sources for power. This principle has been so frequently recognized in this commonwealth that reference to the decisions is unnecessary.

"It is also said that the law violates the right of Mary Shirley to labor in accordance with her own judgment as to the number of hours she may work. The obvious and conclusive reply to this is, that the law does not limit her right to labor as many hours per day or per week as she may desire. It merely prohibits her being employed continuously in the same service more than a certain number of hours per day or week."¹

The present learned chief justice of that state, Mr. Justice Holmes, has also expressed himself in such a manner concerning the right of the state to regulate free contract in the interests of a larger freedom, as to show a clear insight into the underlying principles involved.²

It is natural to expect enlightened decisions on economic questions in Massachusetts, and that for several

¹ In *Commonwealth v. Hamilton Manufacturing Company*, 120 Mass. 385.

² I am pleased to quote from a letter received from Mr. Justice Holmes, with his permission, the following : "In my opinion, econo-

reasons. One is the progressive character of the state, due to general enlightenment; another is the altruistic spirit of the age, which finds such gratifying expression in the Old Bay state, and a third is the fact of its high industrial development, as a result of which it has had to deal for a longer period than other states with those questions growing out of an intensive industrial life. Recently, however, two states, viz., Tennessee and West Virginia, industrially far less developed, have taken a leading position in the regulation of contract in the interests of liberty truly conceived. I refer to the decisions of the courts of these states, sustaining statutes prohibiting the maintenance of truck shops, and also providing for weighing of coal. The courts clearly recognize inequalities in bargaining power, lying back of contract, and they also take the position,—and it is undoubtedly a true one,—that wise legislation of this sort is calculated to prevent industrial strife, disorder and bloodshed, and to maintain the public peace.¹

The august tribunal which holds its session in this city, the Supreme Court of the United States, has also, on broad grounds of public policy, upheld the statute of the state of Utah, which limits the working day for miners in that state to eight hours.² The Supreme Court did not go into the wisdom of this particular statute, and I have no desire to do so on this occasion. It is simply the broad principle of regulation of economic relations in the interests of freedom which is in question. We see the most enlightened courts thus en-

mists and sociologists are the people to whom we ought to turn more than we do for instruction in the grounds and foundations of all rational decisions."

¹ *Harrison v. Knoxville Iron Co.*, 53 S. W. Rep. 955 (Tenn.). *Peel Splint Coal Co. v. State*, 15 S. E. Rep. (W. Va.) 1000.

² *Holden v. Hardy*, 169, U. S. 397.

deavoring to develop the idea of public policy in such a way as to bring contract into conformity with industrial conditions.

It is in the police power that we find the peculiarly flexible element in our legal system, and with written constitutions such as we have it is not easy to see where otherwise it is to be sought. The possibilities of development along the line of the police power cannot be limited. Consequently, there is the possibility of an evolution of our law which shall adapt it to our present and future industrial life, and thus secure industrial liberty. Let us take, for example, the doctrine that free contract presupposes "the will as voluntarily manifested." It is quite evident that this must take from certain agreements the character of a valid contract. An agreement made by pressure due to threats to a man's house cannot be a binding contract. Similarly if I see a millionaire, who is drowning, and offer to save his life, on condition that he turn over to me all his property, no court would sustain this agreement as a binding contract.

But is it not possible in some cases to take into account the pressure of economic needs, for example, the hunger of wife and children? Unquestionably, agreements with wage-earners have been extorted by the severest pressure of hunger. Agreements for usurious rates of interest have also been extorted under the pressure of economic need. Courts have frequently found a way to declare such agreements of no binding force. I cannot enlarge upon this thought, and indeed, have no desire to do more than merely to suggest an important line of evolution in the interests of liberty.

Let us take again the principle that the right to contract must not nullify itself, and it seems that from the

standpoint of liberty, there can be no doubt whatever about this principle. Yet it is easy for contract to abrogate the right of contract. Whenever a man contracts himself into a condition of virtual slavery, this is the case. I have already cited the well-known cases brought before Judge Bennett of South Carolina. Cases have arisen in Germany, under what is called the "competitive clause" of labor contracts. It seems that there it is quite customary to insist upon a contract with an employee, learning a trade or occupation, that he shall not, after he has acquired his knowledge of the business, enter into competition with his employer. Sometimes there is a limitation upon the period or area within which no competition must be attempted, making the clause a fairly reasonable one. Sometimes, however, a lad utterly incompetent to contemplate the remote consequences of his act, and not having five dollars to his name, will agree under a penalty of perhaps several thousand dollars not to enter into competition with his employer during his whole life, or in the entire German empire, and sometimes it is said, not anywhere in the world. When contracts are carefully scrutinized with respect to their impairment, directly or indirectly, of the right to make future contracts, it will be found that many regulations are necessary in the interests of liberty.

Contracting-out as it is now technically called, offers an interesting illustration of the absolute necessity of limitations upon contract in the interests of public policy. It will readily be conceded that private contract must not stand above public policy, and yet through contracting-out of obligations public policy may frequently, and will frequently be subverted. Let us suppose it is determined to be public policy, as it has been determined in Germany and in England, that accidents to employees, unless brought about by wilful act of the employee, shall be regarded as a part of the expenses of manufacturing

plants and agencies of transportation, to be paid for as any other costs of doing business, out of the proceeds of the business. Unless it is rendered impossible for an employee to contract-out of the obligation this wise provision in the interests of a large industrial liberty will be nullified by private contracts. Consequently, we find in the most advanced industrial countries the doctrine established by the statute, or coming to prevail in one way and another, that contracting-out of obligations, established in the interests of public policy, cannot be tolerated.

Another line of development in the interests of industrial liberty must consist in opening up and increasing opportunities for the acquisition of a livelihood by the mass of men, in order that back of contracts there may lie a nearer approximation to equality of strength on the part of the two contracting parties. It is certain that there will be a vast development along this line during the twentieth century, and through this development we shall find liberty expressing itself increasingly through contract.

It is manifest, I think, that philosophical anarchy furnishes us with no ideal. The absence of all social regulations means the unrestricted tyranny of the strong. Plato clearly saw this when he asserted that "the most aggravated forms of tyranny and slavery arise out of the most extreme form of liberty".¹

Mazzini also saw this clearly enough, when he said of liberty: "If you enthrone it alone as means and end, it will lead society first to anarchy, afterward to the despotism which you fear."²

We have not said all, however, that there is to be said concerning the ideal of anarchy when we have pointed

¹ Republic, viii, 564, Jowett's translation, p. 272.

² Mazzini, "Rights and wrongs", Publications of the Christian Social Union, pp. 9-10.

out that it can only mean tyranny and despotism. Liberty cannot be an absolute ideal, because authority is needed in society, in order to secure the harmonious coöperation of its various elements, and without social authority we could have no production of wealth, and we should be without the material basis of that large and positive liberty which enables us to employ our faculties in the common service. This social authority rests, for the most part, upon the great institutions of society—property, vested interests, contract and personal conditions. To only a limited extent is there a direct political basis for the authority whereby one man brings into harmonious coöperation other men, in the work of production. The basis of social authority is, for the most part, institutional.

On the other hand, socialism furnishes us with no sufficient ideal of industrial liberty. Going to the opposite extreme from anarchy, it would find a political basis for that social authority through which the industrial coöperation of men is effected. It would limit the range of free choice, and restrict liberty, although to a less degree than anarchy. The true ideal lies midway between anarchy and socialism, and may be termed the principle of social solidarity. According to this principle, the great institutions of society must be conserved, but developed in the interests of liberty positively conceived. There must be a carefully elaborated, and wisely executed regulation of economic relations.

We are indulging in no Utopian fancies but are simply describing the forces which are everywhere manifesting themselves in the most enlightened nations, and are resulting in an evident increase of the sphere of industrial liberty for the masses of men. It is absurd to say that we must not pass any law in the interests of a single class of men, inasmuch as men exist in classes, and indus-

trial laws to be effective must deal with them as they exist in classes. And, moreover, no class exists for itself. As society becomes real and vital, and means more and more to us all, it becomes apparent that no one class exists for itself, and that no one class can exist apart from all other classes. While there is such a thing as vicious legislation in behalf of a few favored individuals, whatever promotes the interests of any one of the great and numerous classes in society, either in matters physical, mental, moral or spiritual, advances the interests of every other class. "We are members one of another," and "the eye cannot say unto the hand, I have no need of thee: nor again the head to the feet, I have no need of you and whether one member suffers, all the members suffer with it: or one member be honored all the members rejoice with it". The apostle Paul gives in these words an expression to a deep principle of modern industrial society, the principle of social solidarity.

I have sketched thus hastily a theory of industrial liberty. What I have said, I would have looked upon as thoughts on industrial liberty, more or less closely connected. I have not even attempted an exhaustive treatment, for which my time is too limited, even had I, as I have not, the wisdom for a complete presentation. I trust, however, that what I have presented is in harmony with industrial evolution and truth. It is something, at any rate, if I have at least made it clear that industrial liberty is a conception having a relative and not an absolute value; that it is to be conceived in a positive rather than in a negative sense; that it is not something which can be decreed off-hand, by any legislative body, but rather that it is a social product, to be achieved by individuals working socially together, and that it comes, not all at once, but slowly as the result of a long continued and arduous process. It is not the beginning of social evolution, but rather one of the goals

of social evolution, and one which must be brought into harmony with other goals, such as equality, also relatively conceived, and fraternity, the only one of the three goals, liberty, equality and fraternity, which can, in any way, be conceived absolutely. We have, then, among others, three goals of industrial evolution—liberty, equality and fraternity—but the greatest of these is fraternity.